



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

Customer Assistance

IN THE MATTER OF ROBERT CANTER,)
PETITIONER v. PUBLIC SERVICE
ELECTRIC AND GAS COMPANY,
RESPONDENT)

ORDER ADOPTING
INITIAL DECISION

BPU Docket No. GC05080746U
OAL Docket No. PUC 12107-05

(SERVICE LIST ATTACHED)

BY THE BOARD:

On August 29, 2005, Robert Canter (Petitioner) filed a petition with the Board of Public Utilities (Board) for a hearing in regard to a billing dispute with Public Service Electric and Gas Company (PSE&G) (Respondent). On October 7, 2005, Respondent filed an answer.

On October 20, 2005, the Board transmitted this matter to the Office of Administrative Law (OAL) for determination and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. The matter was assigned to Administrative Law Judge (ALJ) Elinor R. Reiner.


During the pendency of this matter at the OAL, the parties engaged in negotiations and reached a settlement. The settlement was submitted to the ALJ for review. On April 20, 2006, ALJ Reiner filed an Initial Decision with the Board, memorializing the terms of the settlement and recommending that it be approved. The ALJ found the settlement to be voluntary, consistent with the law and fully dispositive of all issues in controversy. The ALJ therefore concluded that the settlement met the requirements of N.J.A.C. 1:1-19.1.


Under the terms of the settlement, Respondent will forgive \$20,102.58 of Petitioner's outstanding balance of \$40,472.28. Petitioner will pay the net balance of \$20,369.70 by May 15, 2006.

The Board FINDS that the terms of the settlement are fair and reasonable. Therefore, the Board HEREBY ADOPTS the Initial Decision and Stipulation of Settlement in their entirety, incorporating the terms thereof into this final decision as if fully set forth at length herein.

DATED: 5/16/06

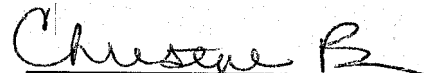
BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT


FREDERICK F. BUTLER
COMMISSIONER


CONNIE O. HUGHES
COMMISSIONER

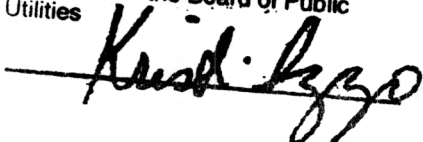

JOSEPH L. FIORDALISO
COMMISSIONER


CHRISTINE V. BATOR
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public
Utilities



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BPU Docket No. GC05080746U
OAL Dkt. No. PUC 12107-05

Robert Canter v. Public Service Electric and Gas Company

BPU Docket No. GC05080746U
OAL Dkt. No. PUC 12107-05

SERVICE LIST

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CMS
BBSLOW
RPA
SLUTZKY, J
HILARIO, P
STARK (2)

State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION
SETTLEMENT
OAL DKT. NO. PUC 12107-05
AGENCY DKT. NO. GC05080746U

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ROBERT CANTER,
Petitioner,
v.
PUBLIC SERVICE & GAS, COMPANY,
Respondent.

Robert Canter, petitioner, pro se
Edward Sullivan, Manager, Customer Operations Regulatory
Services, for respondent

Record Closed: April 17, 2006
Decided: April 19, 2006

BEFORE ELINOR R. REINER, ALJ:

On or about August 29, 2005, petitioner filed a petition with the New Jersey Board of Public Utilities for a hearing in regard to a bill dispute with respondent. On or about October 5, 2005, respondent filed its response. On November 3, 2005, this matter was transmitted to the Office of Administrative Law (OAL) as a contested case for hearing pursuant to N.J.S.A. 52:14B- to -15 and N.J.S.A. 52:14F-1 to -13.

A mandatory early settlement conference scheduled for January 17, 2006 was adjourned and rescheduled to April 19, 2006 before the undersigned judge. On or about April 17, 2006, a settlement was reached. Thus, the conference was adjourned.

The parties have agreed to settle this matter and have prepared the attached Settlement Agreement, indicating the terms of settlement.

have reviewed the record and the settlement terms and **FIND:**

- 1 The parties have voluntarily agreed to the settlement, as evidenced by their signatures or their representatives' signatures

The settlement fully disposes of all issues in controversy and is consistent with the law.

I **CONCLUDE** that this agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. I **APPROVE** the settlement and, therefore, **ORDER** that the parties comply with the settlement terms and that these proceedings be concluded

hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration

This recommended decision may be adopted modified or rejected by the BOARD OF PUBLIC UTILITIES, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five (45) days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

April 19, 2006
DATE

Elinor R. Reiner
ELINOR R. REINER, ALJ

Receipt Acknowledged:

4/20/06
DATE

Floyd S. Long
BOARD OF PUBLIC UTILITIES

Mailed to Parties

DATE
al

OFFICE OF ADMINISTRATIVE LAW

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In the matter of Robert Carter, Petitioner, v. Public Service Electric and Gas Company, Respondent, OAL Docket No. PUOCC 12107-200514, SPU Docket No. GC05000746U, the parties have agreed to settle the dispute in accordance with the following terms:

1. This dispute arose when Petitioner on August 25, 2005, asked the New Jersey Board of Public Utilities for a formal hearing on a billing dispute that dates back to an earlier complaint dated October 5, 2005. The dispute involves a bill received based upon an actual meter reading after a long period of estimated billings and a minimum monthly charge for natural gas usage.
2. The last bill issued to Petitioner for service to Account No. 21-396-236-14 was for \$ 79,926.51 on March 18, 2006, with actual meter readings for combined gas and electric service for the billing period February 14, 2006 through March 18, 2006.
3. The outstanding balance on Petitioner's account as of April 17, 2006 is \$40,472.28. This reflects the balance after application of the last payment that Respondent received from Petitioner of \$39,454.23 on March 22, 2006 that covered the regular monthly electric and gas charges for February and January 2006 and December 2005.
4. Respondent will make a billing adjustment to Petitioner's account to forgive \$ 20,102.58 of the March 22, 2006, balance. A portion of this billing adjustment reflects a waiver of all outstanding late payment charges owing on the balance that have accrued since the billing dispute arose. The balance of this credit is removal of all disputed Annual Minimum Charges for unused gas commodity.
5. After the billing adjustment, the net balance that Petitioner owes Respondent is \$ 20,369.70 as of April 17, 2006. This amount is comprised of \$13,451.26 which is the current March 18, 2006 bill (which the petitioner informed us on April 13, 2006 is in transit), and a balance of \$6,918.44 from the original November 11, 2005 bill of \$11,735.99 after a credit adjustment of \$4,817.55 was made to remove Annual Minimum Charges. Petitioner has agreed to pay Respondent 100% of this net balance by May 15, 2006.
6. Petitioner will remain fully responsible for paying for his utility service from PSE&G on an ongoing basis for all service rendered after March 18, 2006.

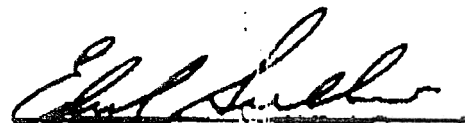
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In the event that Petitioner does not comply with these terms, this settlement shall be revoked by his failure to comply and the full amount forgiven by this settlement agreement, including late payment charges and field collection charges, shall become immediately due and payable.

Accordingly, in consideration for the payment amount and payment terms set forth in this settlement agreement, the parties ask that the Petition be dismissed with prejudice.

Agreed to by the parties this 17th day of April, 2006.


Robert Cantor (Petitioner)


Edward Sullivan for
PSE&G (Respondent)

PY



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Newark, New Jersey 07102
(973) 648-6008

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Date: APR 20 2006

Re: Initial Decisions for Receipt

Receipt of the following decisions from the Office of Administrative Law (as well as a copy of this form) is acknowledged as of the date indicated below:

OAL Docket No. PUC

Case Name

12107-05

Robert CANTER

Board of Public Utilities

2 Gateway Center

Newark, New Jersey 07102

Date:

4-20/06


Board of Public Utilities